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Personnel

**DISENROLLMENT OF UNITED STATES AIR  
FORCE ACADEMY CADETS**

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This instruction implements AFD 36-20, *Accession of Air Force Military Personnel*, and DoD Directive (DoDD) 1332.23 by providing direction for administratively disenrolling, separating, and discharging from the US Air Force Academy, cadets who don't satisfy the conditions of enrollment and commissioning. This instruction directs collecting and maintaining information subject to the Privacy Act of 1974 authorized by 10 U.S.C. 8013 and DoDI 1332.23. System of Records F035 AFA A applies.

**SUMMARY OF REVISIONS**

This interim change (IC) 99-1 provides clarified and additional guidance regarding disenrollment procedures for USAF Academy cadets. Attachment 9 (added), Cadet Rights in Disenrollment Boards and Committees. A bar (|) indicates revision from the previous edition.

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***Section A—Authority and Enrollment Requirements***

**1. Authority.** Chapter 903 of Title 10, U.S.C., is the authority for disenrolling, separating, transferring, and discharging US Air Force Academy cadets.

1.1. The Secretary of the Air Force, or a designee, approves all disenrollments, separations, transfers, and discharges. References to the Secretary of the Air Force in this Instruction include an official designated by the Secretary to approve/disapprove disenrollments or take other actions specified in this Instruction.

1.1.1. The Secretary of the Air Force may direct the disenrollment and discharge of any cadet, if the Secretary determines that such action is in the best interest of the Air Force.

1.2. DELETED.

**2. Conditions for Disenrollment.** The Secretary of the Air Force can end the service of an Air Force Academy cadet when the Secretary determines it is in the best interest of the Air Force.

2.1. Cadets agree to:

Complete the educational requirements of the Academy.

Accept an Air Force commission.

2.1.1. The Air Force disenrolls cadets who:

2.1.1.1. Fail to complete their requirements.

- 2.1.1.2. Don't show potential for commissioned service.
- 2.1.1.3. Failure to abide by established Air Force standards of conduct.

2.1.2. The Air Force:

- 2.1.2.1. Identifies such cadets early.
- 2.1.2.2. Takes proper corrective or separation action promptly.

2.2. A decision by the Secretary of the Air Force or designee to disenroll a cadet or accept a cadet's resignation according to this instruction constitutes a finding that the cadet has broken the agreement to complete the course of instruction at the Academy, as contemplated by Section 9348(a) of Title 10, U.S.C., unless the Secretary or designee further finds that the disenrollment or resignation resulted from causes beyond the control of the cadet. Disenrollment because of medical disqualification not due to the cadet's misconduct ordinarily will not be found to constitute a breach of the agreement. The terms of the agreement are contained in *USAF Form 0-205* or its successor.

2.2.1. The Secretary of the Air Force, or a designee, decides whether disenrolled cadets with an Active Duty Service Commitment receive:

- 2.2.1.1. An involuntary order to active duty
- 2.2.1.2. A financial reimbursement obligation.

**3. Responsibilities.** The Secretary of the Air Force oversees these responsibilities:

3.1. HQ USAF/DP ensures that the Air Force Academy follows DoD guidance on disenrolling cadets.

3.2. The Superintendent, USAF Academy:

- Establishes graduation and commissioning standards.
- Implements training and education programs to ensure cadets' success.
- Implements training and education programs to ensure cadets' success.
- Supplements this Instruction through provisions of the *USAF Academy Cadet Wing Honor Reference Handbook* and other Academy issuances. Provides copies of all such issuances to the Secretary of the Air Force (attn: SAF/MI and SAF/GC) immediately upon issuance.

3.3. The USAF Academy Board:

- When consulted by the Superintendent reviews cases of deficient cadets.
- Recommends an appropriate disposition.

**4. Enrollment and Disenrollment Responsibilities.**

4.1. Each cadet who enters the Academy agrees to:

- 4.1.1. Complete the course of instruction.
- 4.1.2. Serve as a commissioned officer for at least six years.
- 4.1.3. Accept an appointment in the Air Force Reserve until the eighth anniversary of graduation, if not on active duty until that time.

4.1.4. If disenrolled before graduation, serve on active duty as an enlisted member in the Air Force Reserve, for a period of time as specified by the Secretary of the Air Force.

4.1.5. Reimburse the US for education costs when the active duty obligation is not fulfilled due to misconduct or an approved voluntary separation.

4.2. Cadets who enter the Academy from the regular or reserve component of any military service and who fail to fulfill their Academy obligation:

4.2.1. Revert to their former status to complete any remaining prior service obligation.

4.2.2. Incur an active duty obligation in return for education at the Academy even though they may have fully or partially completed prior active duty obligations.

4.3. The Secretary of the Air Force assigns active duty as the primary means of reimbursement for education.

4.3.1. The Secretary may require cadets who don't go to active duty (due to the nature of their misconduct or because they successfully request relief from the service obligation) to reimburse the Government for the cost of their education as determined by applicable finance instructions.

4.3.1.1. This cost depends on a reasonable fee for:

Tuition.

Books.

Supplies.

Transportation.

Miscellaneous expenses.

4.3.1.2. The cost doesn't include reimbursement for:

Pay and allowances.

Military training.

4.3.2. For disenrolled cadets on active duty who leave active duty before completing their commitment, the reimbursement is for the proportionate, unamortized portion of the cost of their education.

4.4. Because reimbursement is a debt to the United States, a discharge in bankruptcy under Title II, U.S.C., may not release a person from having to reimburse the United States, if the final decree of bankruptcy takes effect within a period of five years after the last day of a period that the cadet agreed to serve on active duty.

**5. Pre-Academy Misconduct.** The Academy may deny enrollment to cadet candidates who commit misconduct between the time they submit background information to the Academy and enroll as cadets.

5.1. Cadet candidates and cadets must update information that they provide to the Academy as part of the admission process.

5.2. Cadet candidates who intentionally withhold information may forfeit their appointment to the Academy.

5.3. If the Academy discovers misconduct before an appointee takes the oath of appointment, the Academy:

Informs the individual.

Provides an opportunity to respond.

5.3.1. The Academy withdraws the offer of appointment and notifies the nominating authority if, after considering the misconduct and the appointee's response, the Superintendent concludes the appointee is no longer qualified for appointment.

5.3.2. The candidate will not participate in basic cadet training without taking the oath. The oath will not be administered until the case is resolved.

5.3.3. The Academy may disenroll a cadet when it discovers pre-appointment misconduct after enrollment.

**6. Pre-Appointment Drug, Chemical, and Alcohol Testing.** As the Secretary of Defense directs under 10 U.S.C. 978, all cadet candidates who aren't already members of the armed forces must undergo testing for drug, chemical, and alcohol use and dependency within 72 hours of reception at the Academy.

6.1. The Academy disenrolls those cadets who, after taking the oath of appointment, show positive test results.

6.1.1. The Academy notifies these cadets in writing (see attachment 9) that they are being recommended for disenrollment based on positive drug, chemical, or alcohol dependency

6.1.2. Military counsel will be made available to assist the cadet.

6.1.3. A cadet may resign instead of going further with the disenrollment procedures in this instruction.

6.1.3.1. The Academy documents this type of resignation as "in lieu of disenrollment for a confirmed positive test for pre-accession drug, chemical, or alcohol use."

6.2. The Secretary will make the final decision in the case.

6.3. The Air Force assigns an entry-level separation to cadets who resign or receive disenrollment in accordance with this section. Paragraph 9. doesn't apply in this case.

**7. Boards, Committees, and Hearings for Evaluating Cadet Disenrollments.** The following boards, committees, and hearing officers evaluate and sometimes make recommendations on cadet deficiencies in academics, athletics, conduct, and military training to determine a cadet's suitability for commissioned service.

**7.1. The Academy Board.** This board of senior Academy officers may be consulted by the Superintendent on cases of deficient cadets, approves cadets for return or reappointment to the Academy (in accordance with 10 U.S.C. §9351) following their disenrollment, establishes graduation standards, and performs other functions specified in USAFAI 36-165, *The U.S. Air Force Academy Board*

**7.1.1. Academic Review Committee (ARC).** The ARC evaluates cadets who are deficient in academics. The ARC may:

7.1.1.1. Direct extra instruction or special training.

7.1.1.2. Place cadets on or remove them from academic probation.

7.1.1.3. Implement other appropriate measures.

7.1.1.4. Recommend disenrollment of or deny graduation to a cadet whose academic deficiency shows a lack of aptitude for commissioned service.

**7.1.2. Military Review Committee (MRC).** The MRC evaluates cadets whose:

Conduct or aptitude for commissioned service is questionable.

Weight doesn't meet Academy standards.

7.1.2.1. The MRC may:

Direct corrective measures, including probation.

Refer cadets for possible disenrollment.

Recommend delayed graduation for first class cadets.

**7.1.3. Physical Education Review Committee (PERC).** The PERC evaluates cadets whose physical fitness or performance in physical education or intramural training is deficient. The PERC may:

Direct corrective measures, including aptitude probation.

Refer cadets for possible disenrollment.

**7.1.4. Summer Training Review Committee (STRC).** The STRC evaluates cadets whose performance or conduct during cadet summer training programs shows questionable aptitude for commissioned service. The STRC may:

Direct corrective measures, including probation.

Refer cadets for possible disenrollment.

**7.2. Board of Officers.** The Superintendent, Commandant, or Vice-Commandant appoint a Board of Officers in accordance with AFI 51-602, *Boards of Officers*.

7.2.1. A Board of Officers hears evidence and produces a report based on the facts.

7.2.2. After reviewing the board's report, the Superintendent may consult with the Academy Board before taking further action.

**7.3. Hearing Officer.** The Superintendent, Commandant, or Vice-Commandant appoint a hearing officer to produce a report on charges that place serious doubt on a cadet's aptitude or suitability for commissioning.

7.3.1. After reviewing the hearing officer's report, the Superintendent may consult with the Academy Board before taking further action.

**7.4. Cadet Medical Evaluation Board (CMEB).** The CMEB reviews cadets' records to determine whether:

Cadets with medical problems remain qualified for commissioning.

Medical conditions warrant a medical waiver.

A medically disqualified cadet is qualified for enlisted service.

7.4.1. When the CMEB recommends disqualification, the Secretary makes the final decision on the case.

## 8. Disenrolling Cadets.

**8.1. Active Duty Service Commitments and Grade Awards.** The Secretary of the Air Force reviews active duty obligations and assigns military grades to cadets whom the Academy disenrolls before graduation.

8.1.1. The Secretary discharges the following cadets with no incurred service commitment:

8.1.1.1. Fourth and third class (first- and second-year) cadets with no prior service.

8.1.1.2. Second class cadets that the Academy disenrolls before they begin the second class academic year.

8.1.2. The Secretary either discharges or separates second and first class (third- and fourth-year) cadets, with the following commitments:

8.1.2.1. The Secretary transfers separated cadets to active duty in the Air Force Reserve at the appropriate enlisted grade.

8.1.2.1.1. If the Secretary separates the cadet after the beginning of the second class academic year but before the beginning of the first class academic year, the period of active duty is 2 years.

8.1.2.1.2. If the Secretary separates a first class cadet before the cadet completes all the requirements for graduation, the period of active duty is 3 years.

8.1.2.1.3. Cadets who voluntarily decline their commission haven't satisfied all graduation requirements and are subject to 3 years of active duty.

8.1.3. Active duty service is the primary means of reimbursement for an Academy education (10 U.S.C. §2005). However, the Secretary may direct monetary recoupment in lieu of active duty when he or she determines that the cadet's record at the Academy renders the cadet unsuitable for active duty service, or active duty otherwise is not in the best interest of the Air Force. All cadets who have incurred an active duty commitment and are disenrolled or resign under circumstances amounting to a breach of the 10 U.S.C. §9348 agreement may be subject to monetary recoupment.

8.1.3.1. When a cadet who is subject to monetary recoupment disputes the debt, the Superintendent will appoint an officer, or a civilian employee, to conduct an inquiry concerning the validity of the debt in accordance with 10 U.S.C. §2005(g). The Superintendent will consider the findings and recommendations of the inquiry and forward the case, with a recommendation for disposition, to the Secretary for decision.

8.1.3.2. Each separating cadet may submit a written request (stating reasons) to waive active duty or reimbursement.

8.1.3.3. The Academy sends this request, together with the recommendation of the Superintendent, to the Secretary of the Air Force.

8.1.4. The Air Force awards these grades to separated cadets whom the Secretary has ordered to active duty.

8.1.4.1. Third and fourth class -- Airman (E-2).

8.1.4.2. Second class -- Airman First Class (E-3).

8.1.4.3. First class -- Senior Airman (E-4). These individuals must qualify at the five-skill level Air Force Specialty Code (AFSC) to retain the grade of E-4.

( *EXCEPTION:* The cadet earns a higher grade for earlier service.)

8.1.5. If the Secretary of the Air Force doesn't waive an active duty commitment, USAFA/DP:

8.1.5.1. Administers the Armed Forces Classification Test (AFCT).

8.1.5.2. Coordinates an appropriate AFSC and duty assignment for separating cadets.

8.1.6. The Air Force calls separated cadets to active duty not later than 30 days after the Secretary of the Air Force approves the disenrollment.

8.1.7. When a cadet has been found not qualified for graduation and commissioning by the Superintendent, the Superintendent may place the cadet on involuntary excess leave without pay pending the final processing of the case.”

8.1.7.1. DELETED.

8.1.7.2. DELETED.

8.1.7.3. DELETED.

8.1.7.4. DELETED.

8.1.7.5. DELETED.

8.1.7.6. DELETED.

8.1.7.7. DELETED.

8.1.7.8. DELETED.

8.1.7.9. DELETED.

8.1.8. Former cadets may submit written requests for release from active duty service obligation by:

8.1.8.1. Sending the request to AFMPC/DPMape for review and submittal through HQ USAFA/OL-C and USAFA to AFPC for the final decision.

## **8.2. Disenrolling Cadets with Prior Service.**

8.2.1. The Secretary of the Air Force may discharge or separate cadets who were members of a regular or reserve component if the Secretary disenrolls them before they begin their second class year academics. If separated, cadets return to their former military status to complete any remaining service obligation.

*EXCEPTION:* If the enlistment has ended or is within 1 year of ending by the separation date, the armed service in which the cadet served as an enlisted member reassigns the individual to the Reserve (not extended active duty).

*EXCEPTION:* If the cadet's earlier service didn't take place in the Air Force and the Air Force Academy disenrolls the cadet for physical problems, misconduct, or other reasons, the Academy reports the disenrollment to the proper service branch with a request for instructions.

8.2.2. The Academy disenrolls prior service cadets who have begun their second class year the same as cadets with no prior service.

*EXCEPTION:* If an obligation from earlier service extends beyond the period of active duty that the cadet incurs according to paragraph 8.1., the Academy separates the cadet, who then completes the remaining service obligation.

*EXCEPTION:* If the earlier service didn't take place in the Air Force, HQ USAFA/OL-C requests the applicable service Secretary to separate the cadet from the former status to allow disenrollment in accordance with this instruction. If the service Secretary denies this request, the cadet completes the remaining service obligation.

**8.3. Disenrolling Foreign Cadets.** HQ USAFA/OL-C coordinates the notification to home governments of disenrolled foreign cadets.

**8.4. Discharging Cadets.** Cadets who are discharged with less than 180 days of service will receive an entry level separation unless a different characterization of discharge is approved as a result of court-martial, board or hearing officer processing.

8.4.1. The Secretary of the Air Force may assign three types of discharges.

8.4.1.1. Honorable. Assign an honorable discharge when a cadet's record warrants the highest discharge. The cadet receives:

DD Form 214, *Certificate of Release or Discharge from Active Duty*.

DD Form 256AF, *Honorable Discharge*.

8.4.1.2. General (Under Honorable Conditions). Assign a general discharge when a cadet's record doesn't show enough good conduct to warrant an honorable discharge but neither deserves a discharge under other than honorable conditions. The cadet receives:

DD Form 214, *Certificate of Release or Discharge from Active Duty*.

8.4.1.3. Under Other Than Honorable Conditions. Assign this discharge when a cadet's record warrants only the least desirable discharge. The cadet receives a DD Form 214.

8.4.1.4. Dismissal. Approve a dismissal as part of an approved sentence of a court-martial. The cadet receives a DD Form 214.

### **8.5. Separating Cadets.**

8.5.1. Entry-Level Separation. The Secretary provides the cadet with a DD Form 214 when the cadet resigns or separates within 180 days of taking the oath of appointment.

*EXCEPTIONS:* Courts-martial or board procedures.

8.5.2. Separation to Complete a Service Commitment. The Secretary provides the cadet with a DD Form 214 when the cadet separates and transfers to a Reserve component or another service.

## **Section B—Resignations**

### **9. Submitting Resignations.**

9.1. All resignations that cadets submit in accordance with this section are voluntary.

9.1.1. Between the time that a cadet submits a resignation and receives a separation or discharge, the Academy may:

9.1.1.1. Relieve the cadets of duties.

9.1.1.2. House the cadets away from their squadrons.

9.1.2. The Secretary of the Air Force, or a designee, decides whether to accept a cadet resignation according to 10 U.S.C. 9348.

9.1.3. Resigning cadets may incur active duty obligations, as paragraph 8. describes.

9.2. Cadets may submit resignations by using **Attachment 2**.

*EXCEPTIONS:* The cadet:

9.2.1. Has received notification in accordance with **Section C** or **Section D** of this instruction

9.2.2. Has charges falling under the Uniform Code of Military Justice (UCMJ)

9.2.3. Is undergoing an investigation that might lead to a court-martial.

9.2.4. Has received a recommendation for disenrollment by the Commandant of Cadets for a cadet honor code violation.

9.3. Cadets submitting resignations offer in writing one of these reasons:

Academic problems.

Problems adjusting to the Air Force environment.

Change of career goals.

Personal reasons.

Breaking of the cadet honor code.

Hardship.

9.4. If the Secretary of the Air Force approves a resignation, the cadet:

9.4.1. Disenrolls in accordance with paragraph 8.

9.4.2. Receives an honorable discharge.

9.5. Cadets who are ineligible to resign in accordance with this paragraph may request a resignation in accordance with paragraph 10., paragraph 11., or paragraph 12.

## **10. Resigning Instead of Disenrollment for an Honor Violation.**

10.1. A cadet may use **Attachment 3** to request a resignation after receiving a notification of a disenrollment recommendation from the Commandant of Cadets for a cadet honor code violation.

10.2. If the Secretary of the Air Force accepts the resignation, the cadet is disenrolled in accordance with paragraph 8. and may receive:

10.2.1. An honorable discharge.

10.2.2. A general discharge under honorable conditions.

## **11. Resigning Instead of Involuntarily Disenrollment.**

11.1. Cadets may use **Attachment 3** to request a resignation:

11.1.1. After receiving written notification of disenrollment in accordance with Section C.

11.1.2. When the Air Force Academy refers their cases to a hearing officer in accordance with paragraph 23.

11.2. If the Secretary of the Air Force accepts the resignation, the cadet is disenrolled in accordance with paragraph 8. and may receive:

11.2.1. An honorable discharge.

11.2.2. A general discharge under honorable conditions.

## 12. Resigning for the Good of the Service.

12.1. Cadets whose conduct has brought them to a possible court-martial may use [Attachment 2](#) to request a resignation.

12.2. Cadets who request a resignation in accordance with this paragraph do so with the understanding that, if the Secretary of the Air Force accepts the request:

12.2.1. The Air Force Academy will discharge them promptly.

12.2.2. The discharge will be under other than honorable conditions.

*EXCEPTION:* The Secretary decides that a cadet deserves:

12.2.3. An honorable discharge.

12.2.4. A general discharge (under honorable conditions).

12.3. AFI 36-3207, *Administrative Separation of Commissioned Officers*, sets up guidelines for handling resignations in accordance with this paragraph.

12.4. HQ USAFA/JA gets approval from HQ AFLSA/JAJM if, for any reason, it decides that a trial should take place before a final decision. Communicate directly by the quickest means in this matter. If trial proceeds before a final decision is made in the resignation request and the cadet is convicted, final action by the Convening Authority on the conviction will be postponed until the cadet's request for resignation is decided.

## 13. Withdrawing a Resignation.

13.1. A cadet may request (in writing) to withdraw a resignation for good cause (for example, discovering evidence favorable to the cadet after submitting the resignation).

13.2. If a cadet requests a withdrawal before the Superintendent sends the resignation to the Secretary of the Air Force, the Superintendent may:

13.2.1. Approve the request and return all correspondence to the cadet.

13.2.2. Disapprove the request and send it with the resignation and reasons for denying the withdrawal to the Secretary of the Air Force.

13.3. If the Secretary has already received the resignation, the AFPC must approve the withdrawal request.

**14. Fulfilling Service Commitments Despite Resigning.** Cadets who receive approved resignations must still fulfill:

- 14.1. Active duty commitments.
- 14.2. Obligations to reimburse the Government for education costs.

**15. Conducting Additional Investigations.** If the Air Force Academy decides to conduct an investigation after a resignation has been forwarded to higher authorities, HQ USAFA/DP:

- 15.1. Informs the AFPC and HQ USAFA/OL-C of the reasons by message.
- 15.2. Requests a delay until it:
  - 15.2.1. Completes the investigation.
  - 15.2.2. Prepares recommendations.

### *Section C—Disenrolling Cadets for Specific Deficiencies*

#### **16. Implementing Disenrollments for Deficiencies.**

16.1. The Secretary disenrolls cadets found deficient in:

- Conduct.
- Aptitude.
- Training.
- Studies.
- Athletics.

16.2. A cadet who the Secretary of the Air Force disenrolls in accordance with this section receives an honorable discharge.

16.3. The board or committee first recommending disenrollment reports its findings to the Superintendent.

16.4. Recommendations for disenrollment under this section include recommendations regarding active duty service for cadets with active duty service commitments.

16.5. The Superintendent provides justification and supporting documentation to the Secretary of the Air Force if recommending a waiver of active duty.

16.6. The Academy Board approves cadets for return or re appointment to the Academy (in accordance with Title 10 U.S.C. 9351) following their disenrollment.

16.7. The Commandant of Cadets determines whether cases of cadet misconduct are initiated under the procedures for an honor board, criminal investigation, hearing officer or board of officers.

#### **17. Withholding Involuntary Disenrollment for Deficiencies.**

17.1. The Superintendent may suspend an involuntary disenrollment if the Commandant of Cadets reports additional evidence of misconduct that requires further investigation in accordance with [Section D](#).

- 17.1.1. If the investigation suggests a need for separation, the Superintendent implements the separation in accordance with [Section D](#).

17.1.2. If the investigation doesn't suggest a need for separation under Section D, the Superintendent continues processing under this section.

17.1.3. If the Superintendent has already sent a recommendation for involuntary disenrollment to the Secretary, HQ USAFA/DPY:

17.1.3.1. Notifies HQ USAFA/OL-C and AFPC.

17.1.3.2. Requests these authorities to suspend further action until the Superintendent completes the investigation.

**18. Disenrolling Cadets for Deficiency in Conduct.** The cadet disciplinary system (which the Commandant of Cadets supervises):

Identifies cadets who don't show promise of continuing as cadets.

Tries to help these cadets change their behavior.

18.1. The Commandant may, after documenting a case, report it for evaluation to:

The STRC.

The MRC.

18.1.1. Either committee may recommend disenrollment to the Superintendent.

18.1.2. If cadet disciplinary procedures don't successfully address the misconduct, the Commandant may refer the case to a hearing officer under **Section D**.

18.2. Violations of the Honor Code will be processed according to procedures in the *USAF Academy Cadet Wing Honor Code Reference Handbook* unless the Commandant of Cadets initiates other disposition. This instruction specifically authorizes the use of procedures outlined in the *USAF Academy Cadet Wing Honor Code Reference Handbook*.

**19. Disenrolling Cadets for Deficiency in Aptitude.** A low military performance average (MPA) shows a potential deficiency in aptitude for commissioned service. However, factors used in developing the MPA (military performance evaluation, conduct score, cadet peer evaluations, professional knowledge reviews, and officer attribute assessments) may also independently evidence a potential deficiency in aptitude for commissioned service.

19.1. The MRC:

Reviews these cases.

May recommend disenrollment.

**20. Disenrolling Cadets for Deficiency in Academics.** The ARC:

Reviews cases of cadets who perform poorly in academics.

May recommend disenrollment.

**21. Disenrolling Cadets for Deficiency in Summer Training.** The STRC:

Reviews cases of cadets who perform poorly in a summer training program.

May recommend disenrollment.

**22. Disenrolling Cadets for Deficiency in Athletics.** The PERC:

- 22.1. Reviews cadets who show problems in:
  - Physical fitness.
  - Physical education.
- 22.2. Places deficient cadets:
  - Into a mandatory reconditioning program.
  - On athletic probation.
- 22.3. May recommend disenrollment for cadets who remain deficient.

**Section D—Disenrolling Cadets for Personal Conduct****23. Disposing of Cases Inappropriate for Processing Under the UCMJ.** The Superintendent may appoint either a board of officers or a hearing officer to evaluate cases in which:

An investigation shows that a cadet is not qualified to continue in cadet status.

The Superintendent decides the case shouldn't be prosecuted under the UCMJ.

- 23.1. The Superintendent may pursue these actions regardless of other administrative procedures that apply to the case.
- 23.2. Homosexual conduct is a basis for disenrollment under this section. Process homosexual conduct cases using the Board of Officers procedure. Use AFI 36-3206 *Administrative Discharge Procedures for Commissioned Officers* and AFI 36-3207, *Separating Commissioned Officers*, as a guide for deciding homosexual conduct cases and procedures regarding recoupment of educational costs if a cadet is disenrolled for homosexual conduct. The report of the board proceedings will be forwarded using the procedures described in paragraphs 25.8 through 25.18 of this instruction.

**24. Deciding the Type of Hearing.**

- 24.1. If the Commandant of Cadets decides that a case should result in no worse than a general discharge, the Commandant initiates disenrollment proceedings and forwards the case to the Superintendent, who then decides whether or not to appoint a hearing officer to hear the case.
- 24.2. If the Commandant of Cadets decides that a case should result in an under other than honorable conditions discharge, or if other considerations dictate, the Commandant initiates disenrollment proceedings and forwards the case to the Superintendent, who then decides whether or not to appoint a board of officers to hear the case.

**25. Conducting Hearings.**

- 25.1. The Superintendent or, in the Superintendent's absence the Commandant, appoints a hearing officer who:
  - 25.1.1. Holds a grade of major or higher.
  - 25.1.2. Is a licensed attorney.
  - 25.1.3. Is disinterested in the case.

- 25.1.4. Is qualified in age, education, experience, length of service, and judicial temperament.
- 25.2. The Commandant ensures that the hearing officer follows proper hearing procedures.
- 25.3. The cadet:
  - 25.3.1. Receives from the Commandant a letter of notification (see [Attachment 4](#)).
  - 25.3.2. Verifies receipt of the letter (see [Attachment 5](#)).
- 25.4. Before the hearing, the hearing officer provides the cadet with:
  - 25.4.1. A written notice of the time and place of the hearing.
  - 25.4.2. The specific charges.
  - 25.4.3. The names, organizations, and addresses of expected witnesses.
  - 25.4.4. All documents that officials plan to review at the hearing.
- 25.5. The Commandant ensures that cadets have an opportunity to consult with legal counsel before the hearing.
  - 25.5.1. Legal counsel may not represent the cadet at the hearing.
  - 25.5.2. The hearing officer conducts the hearings in a non adversarial way.
- 25.6. During the hearing, the cadet may:
  - Examine witnesses.
  - Present evidence.
  - 25.6.1. All hearing participants provide sworn testimony.
  - 25.6.2. A court reporter prepares a verbatim transcript of the hearing.
- 25.7. These rules apply to the hearing:
  - 25.7.1. Hearing officers may accept hearsay evidence if they protect the truth.
  - 25.7.2. The Government and the cadet may agree in advance to accept polygraph results.
- 25.8. At the conclusion of the hearing, the hearing officer:
  - Reviews the evidence that participants have presented.
  - Makes findings based on the evidence.
  - Sends transcripts and findings to the staff judge advocate for legal review.
  - 25.8.1. The staff judge advocate sends the transcripts, findings, and legal review to the Superintendent.
  - 25.8.2. The hearing officer doesn't recommend a disposition of the case.
- 25.9. The Superintendent reviews:
  - The findings of the hearing officer.
  - A summary of the cadet's military record that the Commandant prepares.
  - 25.9.1. The Commandant provides a copy of the summary to the cadet before sending it to the Superintendent.

25.9.2. The cadet may submit, in writing, a rebuttal, further explanation, or additional information to the Superintendent within 3 working days.

25.10. The Superintendent may consult with the Academy Board.

25.11. If the Superintendent concludes the cadet is no longer qualified for graduation he continues processing the disenrollment action.

25.11.1. An active duty commitment, if the cadet is deemed qualified for further military service.

25.11.2. The type of discharge, when appropriate.

25.11.3. Sends the case to the AFPC with all findings and recommendations.

25.12. If the Superintendent finds a cadet unqualified for graduation, the cadet will no longer attend classes or participate in cadet activities and training.

25.13. DELETED.

25.14. If the Superintendent, or in the Superintendent's absence, the Commandant decides that a board of officers should make findings of fact on the alleged misconduct, the Superintendent ensures that the cadet receives a letter of notification (see [Attachment 6](#)).

25.14.1. Cadets respond to this letter (see [Attachment 7](#)).

25.15. The board of officers conducts a hearing in accordance with AFI 51-602, except that the president of the board must be at least a colonel.

25.16. The transcript of the board hearing will be processed in the same way as the report of hearing officer.

25.17. DELETED.

25.18. If the Superintendent doesn't accept the findings of fact that the hearing officer or board of officers have made, the Superintendent:

States in writing its findings and the reasons.

Summarizes its supporting evidence before final action is taken on the case.

**26. Discharging Cadets for Personal Conduct.** Cadets for whom the Secretary of the Air Force has approved disenrollments receive a general discharge (under honorable conditions).

*EXCEPTION:* The Secretary of the Air Force decides they will receive an honorable or an other than honorable discharge.

26.1. The Secretary may only approve a discharge under other than honorable conditions after a board of officers has met in accordance with AFI 51-602 and heard a cadet's case or the cadet submitted a resignation instead of a board hearing.

26.2. A cadet for whom the Secretary of the Air Force approves a disenrollment because of paternity, maternity, or marriage receives an honorable discharge.

*EXCEPTION:* The cadet's record doesn't otherwise warrant a discharge under honorable conditions.

*Section E—Disenrolling Cadets for Medical Reasons*

**27. Conducting and Acting Upon Medical Evaluations.** The Air Force Academy conducts a medical evaluation in accordance with AFI 48-123, *Medical Examination and Medical Standards*, when a question arises about a cadet's medical qualifications for continued service or commissioning.

27.1. If the Academy medically disqualifies a cadet, the CMEB:

Reviews the case.

Makes findings.

27.1.1. If the board's finding is disqualifying for initial commissioning, the command surgeon may grant a waiver.

27.1.2. The board forwards the case to the Commandant of Cadets if all of these occur:

The board finds the cadet medically disqualified for initial commissioning.

Neither the Command Surgeon nor USAF/SG grant a waiver.

27.1.2.1. The Secretary of the Air Force, or delegated representative, is the discharge approval authority.

27.1.3. A cadet medically disqualified for commissioning who hasn't broken the Academy agreement doesn't incur an active duty obligation because of the disenrollment.

27.1.4. If a cadet has an active duty commitment based on pre-appointment enlisted service (in accordance with 10 U.S.C. 516), and if the board doesn't recommend that the cadet stay in the cadet wing, the CMEB makes a recommendation concerning enlisted and worldwide status.

27.1.4.1. The cadet requires worldwide status for assignment instruction and AFSC selection.

27.2. The Academy sends the complete medical records, including CMEB findings, of a cadet with earlier military obligations to the AFPC.

27.3. The AFPC:

27.3.1. Decides whether the cadet must fulfill the commitment.

27.3.2. Sends the records to the Physical Evaluation Board (PEB), AFMPC/DPMAPE.

27.4. The PEB decides separation and disability compensation if the cadet had the defect before becoming a cadet.

*Section F—Requesting Voluntary Excess Leave Instead of Disenrollment*

**28. Qualifying for Excess Leave.** A cadet may ask the Superintendent for excess leave without pay for a specified period if:

The CMEB recommends the excess leave because of a temporary physical disability that makes the cadet unable to train.

The cadet has a temporary personal or family crisis that, in the judgment of the Superintendent, a leave would improve.

The cadet is pregnant and doesn't choose to resign.

28.1. HQ USAFA/DPY publishes:

AC series orders.

Monitors cadets who depart under these excess leave conditions.

## 29. Implementing Excess Leave.

29.1. Cadets on excess leave physically leave the Academy.

*EXCEPTION:* At the cadet's request, the Superintendent decides that a departure doesn't serve the best interest of the Air Force.

29.2. All pay and allowances stop for the excess leave period.

29.3. Cadets in excess leave still receive:

An appropriate military identification card.

Appropriate medical care in a military medical facility.

For pregnant cadets, medical care in military facilities equipped and staffed for obstetrical care.

29.3.1. The US Government doesn't reimburse the costs for civilian medical care.

29.4. Cadets who want to return to normal cadet status must continue to meet (in accordance with AFI 36-2019, *Appointment to USAFA*) all the basic eligibility requirements of:

Citizenship.

Marital status.

Dependency.

Moral character.

29.4.1. Pregnant cadets on excess leave may return when the pregnancy ends.

29.5. The Superintendent sets up a cadet's date of return, which is normally at the start of a semester at the same time of year in which the cadet departed.

29.6. When a cadet returns, the Academy:

29.6.1. Completes a medical examination (for re admission).

29.6.2. Declares the returning cadet physically qualified in accordance with AFI 48-123.

29.7. HQ USAFA/RR:

29.7.1. Completes AF Form 631, *Report of Separation From the United States Air Force Academy*.

29.7.2. Sends the form to notify HQ USAFA/OL-C of a cadet's:

29.7.3. Authorized excess leave.

29.7.4. Return to the Academy.

29.7.5. Changed date of graduation.

*Section G—Reporting Disenrollments*

**30. Submitting the USAF Academy Cadet Attrition Report, RCS: HAF-DP(M)7104.** HQ USAFA/RR submits an Academy cadet attrition report on USAFA Form 0-175 to HQ USAFA/OL-C, 1040 Air Force Pentagon, Washington, DC 20330-1040, by the seventh day of each month. In addition to attrition data, the report identifies the number of cadets:

- 30.1. At home on leave without pay and allowances.
- 30.2. Awaiting discharge but remaining at the Academy.
- 30.3. Returned to the class roll.

This report is designated emergency status code "C2" - Continue reporting during emergency conditions, normal precedence. Submit data requirements in this category as prescribed, or as soon as possible after submission of priority reports. MINIMIZE code is not applicable to this report.

**31. Submitting Individual Reports of Separation.** When the Superintendent recommends a cadet for disenrollment, HQ USAFA/RR:

Completes AF Form 631.

Sends the form and a copy of all supporting documents and recommendations to HQ USAFA/CCL at the Pentagon.

**32. Submitting Report of Separations Finalized by HQ USAFA/DP.**

HQ USAFA/DPY completes standard report to include: name/SSAN/class/resignation reason/instrument signed/control number.

HQ USAFA/DPY submits to HQ USAFA/OL-C on the first duty day of each week.

**33. Form Prescribed.**

AF Form 631, *Report of Separation From the United States Air Force Academy.*

DONALD L. PETERSON, Lt General, USAF  
DCS/Personnel

## Attachment 1

## | GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

*Terms*

**Academic Probation**—The status of a cadet who fails to achieve a satisfactory academic standing, as determined by the Academic Review Committee.

**Aptitude for Commissioned Service**—The personality, capacity, and inclination to adapt to the relationships, customs, and responsibilities of military service and the strength of character and willingness to accept the limits on freedom of individual action that the structure and legal status of military service impose upon its members.

**Aptitude Probation**—The status of a cadet whose military performance raises doubt concerning his or her aptitude for commissioned service, as determined by the Commandant of Cadets, his or her designee, or the Military Review Committee.

**Athletic Probation**—The status of a cadet who fails to meet established cadet athletic performance standards, raising doubt concerning his or her aptitude for commissioned service, as determined by the Athletic Director, his or her designee, or the Physical Education Review Committee.

**Beginning of the Academic Year**—Commencement of classes on the first day of the fall academic semester.

**Cadet Medical Evaluation Board (CMEB)**—A board of medical officers which follows the guidelines of AFM 48.123, *Medical Examinations and Standards*, in evaluating a cadet's medical qualifications for commissioning and enlistment.

**Cadet Record**—A cadet's overall performance while enrolled in the USAF Academy.

**Conduct**—A cadet's adherence to or departure from civilian laws, the Uniform Code of Military Justice, and or Air Force and Academy directives and standards.

**Conduct Probation**—The status of a cadet whose conduct has raised doubt concerning qualification to remain a cadet, as determined by the Commandant of Cadets, his or her designee, or the Military Review Committee.

**Degree**—Completion of academic requirements, without completing all education and training requirements specified in the initial service agreement.

**Discharge**—A complete severance from military status, active or otherwise.

**Disenrollment**—Termination of cadet status. Disenrollment is a consequence of the Superintendent's determination that a cadet is not qualified for commissioning. A cadet is disenrolled when the Secretary of the Air Force approves his or her resignation or dismissal adjudged by court martial; or accepts the recommendation of the Superintendent for involuntary disenrollment. Removal from the cadet wing pending disenrollment entails loss of entitlement to participate in academic, athletic, morale, and military programs, but does not in itself end cadet status or other military obligations, and some or all of its normal effects as described above may be suspended by the Superintendent. Final disposition of cadet military service obligations will be made by the Secretary of the Air Force.

**Erroneous Entry**—Assumption of cadet status after an unintentional omission of, or error in, information submitted prior to taking the appointment oath which could have resulted in the appointment not being tendered. An erroneous entry is also created when the results of pre-accession drug chemical or alcohol test, as described in paragraph 6. is administered to a cadet candidate, and is later reported as positive for either drug chemical or alcohol use after the cadet has already taken the oath of appointment.

**Fraternization**—A relationship that involves or gives the appearance of improper use of rank or position, partiality, or preferential treatment. It includes association on terms of undue familiarity or military equality, and dating between upper class cadets and fourth classmen, and between officers or enlisted personnel and cadets of any class.

**Fraudulent Entry**—Assumption of cadet status after a deliberate misrepresentation, omission, or concealment of required information by the applicant to a nominating authority or to an Air Force or Academy official prior to taking the oath of appointment, which, if know, would result in denial of an Academy appointment.

**Graduate**—One who satisfactorily completes academic, aptitude, conduct, athletic, and military training requirements and receives a degree.

**Hazing**—Any unauthorized assumption of authority by one cadet over another cadet prescribed by 10 U.S.C. 9352. If disenrolled for hazing, a cadet may not be reappointed as an Air Force Academy Cadet and is ineligible for appointment as a commissioned officer in the regular component of the Army, Navy, Air Force, or Marine Corps until 2 years after the graduation of his or her class.

**Maternity**—A female cadet's legal obligation to support a child or children.

**Military Performance Average (MPA)**—The numeric average achieved by a cadet as a result of evaluation each semester of military performance and aptitude for commissioned service.

**Military Academic or Athletic Minus**—A determination by the appropriate Academy Board subcommittee that a cadet's performance in a particular area is marginal but not so inadequate as to warrant disenrollment. Another subcommittee may, if it finds that the cadet's performance in a second area of performance is also marginal but no so inadequate as to warrant disenrollment, recommended the cadet for disenrollment based upon marginal performance in two or more areas.

**Misconduct**—A cadet's act(s) or omission(s) not in accordance with civilian laws, the Uniform Code of Military Justice, or directives or standards of the Academy or Air Force.

**Paternity**—A male cadet's legal obligation to support a child or children.

**Resignation**—A request by a cadet for separation from the Academy and/or discharge from the Air Force. If a resignation is approved, the cadet is disenrolled and either discharged or separated according to this regulation.

## Attachment 2

## SAMPLE SUBMITTAL OF RESIGNATION (CADET)

DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY  
USAFA, COLORADO

MEMORANDUM FOR HQ USAFA/CW

FROM: Cadet \_\_\_\_\_

SUBJECT: Submittal of Resignation - INFORMATION MEMORANDUM

1. In accordance with AFI 36-2020, I voluntarily resign as a cadet appointed to the United States Air Force Academy.

2. I understand fully the following legal provisions and policies:

a. Legal Provisions

(1) A cadet who is a US citizen:

(a) and who entered the United States Air Force Academy directly from civilian status acquires a military service obligation of 6 years if the date of enrollment was before 1 Jun 1984.

(b) and whose date of enrollment was on or after 1 Jun 84, acquires a military service obligation of 8 years (10 U.S.C. 651).

(2) A cadet who fails to fulfill the agreement to complete the course of instruction and accept a commission may be transferred to the Air Force Reserve in an appropriate enlisted grade and ordered to active duty for a period of time not to exceed 4 years (10 U.S.C. 9348(b)).

(3) Cadets who enter the Academy from the Regular or Reserve component of any of the US armed forces and who the Academy disenrolls before graduation return to their former status to complete earlier service obligations (10 U.S.C. 516). Completion or partial completion of an earlier service obligation in no way exempts a separated cadet from being transferred to a reserve component and ordered to active duty under 10 U.S.C. 9348(b).

b. General Policy

(1) The Superintendent may permit a cadet to resign.

(2) The Academy accepts a cadet's resignation if it decides the resignation is in the best interest of the service.

- (3) A cadet who submits a resignation must state a specific reason. Before disenrollment, the Academy Superintendent determines if the case is in the category of demonstrated misconduct or unsuitability for military service.
  - (4) A cadet whom the Academy disenrolls because of demonstrated unsuitability for military service receives a discharge in accordance with the procedures in AFI 36-3207 for officers on active duty with the United States Air Force. A cadet whom the Academy disenrolls for physical reasons receives the applicable medical discharge.
- c. Specific Policy for Cadets With No Earlier Service Who Resign Before Beginning the Second Class Academic Year. If the Academy disenrolls a cadet in this category, the cadet receives a discharge.
- d. Specific Policy for Cadets With No Earlier Service Who Resign After Beginning the Second Class Academic Year. If the Academy disenrolls a cadet in this category for other than physical reasons and has not waived the active duty provision of AFI 36-2020, the cadet takes the Airman Classification Test (ACT) before leaving the Academy. The cadet may then receive:
- (1) An AFS at the one level.
  - (2) A directed duty assignment (DDA) to an operational squadron or an assignment to a technical training school.
  - (3) A transfer to the Air Force Reserve in an enlisted status for at least 2 years of active duty.
  - (4) The grade of E-3.
- e. United States Air Force Academy publishes the orders.
- f. Specific Policy for Cadets With No Earlier Service Who Resign After Beginning the First Class Academic Year. Same as d above.
- g. *EXCEPTION:* The period of active duty is at least 3 years and the grade awarded is E-4.
- h. Specific Policy for Cadets With Earlier Service. Cadets who were members of a Regular or Reserve component of the armed forces of the United States on entry into the Academy, and who separated before beginning the second class academic year, return to their former status to complete earlier service obligations.
- i. *EXCEPTION:* If a cadet's initial enlistment has ended or is within 1 year of expiration, the cadet receives reassignment to the Reserve component (not on EAD) of the same armed service in which the cadet served in an enlisted status. A cadet in this category who has begun the second class academic year follows the procedures specified for cadets with no earlier service. (If the earlier service didn't take place with the Air Force, the Secretary of the Air Force requests the appropriate service Secretary to separate the cadet from the former status. If the service Secretary denies such a separation request, the cadet returns to the former status to complete the earlier service obligation.)
- j. Failure to Accept a Commission. Any first class cadet who completes the course of instruction and declines to accept an appointment as a commissioned officer transfers to the Air Force Reserve in an enlisted status, in accordance with the procedures outlined above, for 3 years of active duty.
3. I have had the opportunity to consult legal counsel about this resignation.
  4. If the Academy accepts my resignation, I understand that I may request leave without pay and allowances while the Secretary of the Air Force decides about my separation or discharge. The

Superintendent decides whether to accept my request for leave without pay and allowance. I understand that if I choose to stay at the Academy while the Secretary of the Air Force decides about my resignation, I will perform duties for the 41st Cadet Squadron as the Commander, Cadet Squadron 41, directs.

5.Reasons for submission.

**Attachment 3**

**SAMPLE SUBMITTAL OF RESIGNATION (APPOINTMENT)**

**DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY  
USAFA, COLORADO**

MEMORANDUM FOR HQ USAFA/CW

FROM: Cadet \_\_\_\_\_

SUBJECT: Submittal of Resignation - INFORMATION MEMORANDUM

1. In accordance with AFI 36-2020, I voluntarily submit my resignation from the United States Air Force Academy for these reasons:
2. I understand that if the Academy accepts this resignation, I may receive separation or discharge (under honorable conditions or under other than honorable conditions) and won't be able to reenter the United States Air Force Academy. Further, I may become ineligible for further officer training.
3. I understand that if the Academy accepts this resignation, I may still have to:
  - a. Complete service under the Universal Military Service Act.
  - b. Reimburse the Government for the cost of my education.
  - c. Fulfill other legal obligations to the United States.
4. I (have)(have not) consulted an Air Force judge advocate to learn of my rights and privileges, the terms of my resignation, and the various forms of separation or discharge.

---

Cadet Signature Block

This statement of (cadet's name) was the cadet's decision, signed after receiving full counsel by me about rights and privileges.

(Signature of Counsel)

---

(Typed name, SSAN, grade, USAF)

**Attachment 4****SAMPLE LETTER OF NOTIFICATION**

**DEPARTMENT OF THE AIR FORCE**  
**HEADQUARTERS UNITED STATES AIR FORCE ACADEMY**  
**USAF, COLORADO**

MEMORANDUM FOR CADET \_\_\_\_\_

FROM: HQ USAFA/CW

2354 Fairchild Drive

Suite 5A10

USAF Academy, CO 80840-6260

SUBJECT Letter of Notification - ACTION MEMORANDUM

1. In accordance with AFI 36-2020, I am beginning action to (discharge)(separate) you from cadet status.
2. The reasons for my proposed action are:
3. (The charges warranting discharge or separation must be as specific as possible as to the date, place, victim, and act or omission so that the cadet can prepare a rebuttal.)
4. The documents attached to this letter support these charges.
5. The Secretary of the Air Force will make the final decision in your case and, if appropriate, provide the type of discharge or separation. I am recommending that you receive an (Honorable)(General) (discharge)(separation).
6. Military counsel, (name, rank, duty address, and duty telephone number), will advise you. In addition to military counsel, you may use civilian counsel at your own expense. However, your civilian counsel must be readily available (normally within 7 calendar days) to advise you. Inform your civilian attorney that counsel may not be present in the hearing. If you do not desire counsel, provide a statement saying so.
7. If you make a written request, you may present your case to a hearing officer. If you choose a hearing officer, you may:
  1. Be present at all appropriate open sessions (for example, not in civil confinement).
  2. Cross-examine witnesses.
  3. Get counsel before and during the hearing. However, the attorney will not be with you in the hearing.
  4. Submit statements.
  5. Call witnesses. You may request witnesses if:

- (1) You submit a timely request.
  - (2) The witness, in the opinion of the hearing officer, can present relevant evidence.
  - (3) The witness is available locally and consents to appear. If the witness is not locally available or is unwilling to attend the hearing, officials will interview the witness by telephone, or you may bring the witness to the hearing at your own expense.
8. If you waive the right to present your case before the hearing officer, you must submit a signed statement. Waiving this right indicates that you don't wish to contest in person the allegations of paragraph 2.
9. Reply, in writing, no later than \_\_\_\_\_, 19\_\_, setting up the rights you choose (the cadet replies within 5 calendar days). If you waive your right to present your case to the hearing officer, you may submit written statements that I will send with your file for the discharge authority to review. (See [Attachment 2](#).)
10. You may receive a complete medical examination. Notify your Air Officer Commanding to schedule it.
11. I have attached a copy of AFI 36-2020 for your information.

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COMMANDANT OF CADETS

Attachment 5

SAMPLE CHOICE OF RIGHTS UNDER AFI 36-2020 (HEARING OFFICER)

DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY  
USAFA, COLORADO

MEMORANDUM FOR HQ USAFA/CW

FROM: Cadet \_\_\_\_\_

SUBJECT: Choice of Rights Under AFI 36-2020 (Hearing Officer) -

INFORMATION MEMORANDUM

- 1.The Air Force Academy has notified me that it has recommended me for (discharge)(separation) under AFI 36-2020 and has provided the specific reasons for the proposed (discharge)(separation). I understand that I may request or waive, in writing, these rights:
  - 1.To present my case to a hearing officer subject to my availability (for example, not in civil confinement).
  - 2.To consult with military counsel or civilian counsel at my own expense.
  - 3.To submit evidence in my own behalf.
- 2.I have received an offer of military counsel and (have)(have not) received advice from my counsel.
- 3.I (waive)(do not waive) my right to appear before the hearing officer. [In waiving the hearing, I indicate that I don't wish to contest in person the charges in the commandant's letter of notification.] I (am)(am not) submitting statements. I understand that the Secretary of The Air Force will decide whether to approve the recommendation for my (separation)(discharge). The Secretary also decides the type of (discharge)(separation) that I receive.
- 4.I (have)(have not) requested a medical examination.
- 5.I have voluntarily signed this statement and kept a copy.

---

(Typed cadet's name, SSAN, and squadron)

This statement of (cadet's name) was the cadet's decision, signed after receiving full counsel by me and advice on rights and privileges.

(Signature of Counsel)

---

(Typed name, SSAN, grade, USAF)

**Attachment 6****SAMPLE LETTER OF NOTIFICATION (BOARD OF OFFICERS)****DEPARTMENT OF THE AIR FORCE**

HEADQUARTERS UNITED STATES AIR FORCE ACADEMY

USAFA, COLORADO

MEMORANDUM FOR CADET \_\_\_\_\_

FROM: HQ USAFA/CW

2354 Fairchild Drive

Suite 5A10

USAF Academy, CO 80840-6260

SUBJECT Letter of Notification (Board of Officers) - ACTION MEMORANDUM

1. In accordance with AFI 36-2020, I am beginning action to (discharge)(separate) you from cadet status.
2. The reasons for my action are:
3. (The charges warranting discharge or separation will be as specific as possible about the date, place, victim, and act or omission so the cadet can prepare a rebuttal.)
4. The documents attached to this letter support these charges.
5. The Secretary of the Air Force will make the final decision in your case and, if appropriate, provide the type of (discharge)(separation). I am recommending that you receive an (Honorable) (General) (Under Other Than Honorable Conditions) (discharge)(separation).
6. Military counsel, (name, rank, duty address, and duty telephone number), can advise you. In addition to military counsel, you may use civilian counsel at your own expense. However, civilian counsel must be readily available (normally within 7 calendar days) to advise you. If you don't want counsel, provide a statement saying so.
7. If you request it in writing, you may:
  - a. Present your case to a board of officers.
  - b. Receive (if you choose to present your case to a board of officers) all the rights of AFR 11-31. In accordance with that regulation, you may use military witnesses if:
    - (1) You submit a timely request.
    - (2) The witness, in the opinion of the legal advisor to the board, can present relevant evidence.
    - (3) The board can't reasonably receive the witness' evidence through videotape, deposition, interrogation, or sworn or unsworn written statement.

- c. Have counsel represent you.
  - d. Submit statements in your own behalf.
  - e. Waive the above rights. You may consult with counsel before waiving your rights.
8. If you waive the right to a hearing before a discharge board, you must submit a signed statement before the officer serving as your counsel. Your counsel also signs the statement. Waiving this right indicates that you don't want to contest in person the charges in paragraph 2.
9. Reply, in writing, no later than \_\_\_\_\_ 19\_\_, stating the rights you choose (Cadets reply within 5 calendar days). If you waive board proceedings, you may submit written statements that I will send with your file for the discharge authority to review. (See [Attachment 6.](#))
10. You may receive a complete medical examination. Notify your Air Officer Commanding to schedule it.
11. I have attached a copy of AFI 36-2020 for your information.

---

COMMANDANT OF CADETS

## Attachment 7

## SAMPLE ELECTION OF RIGHTS UNDER AFI 36-2020 (BOARD OF OFFICERS)

DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY  
USAFA, COLORADO

MEMORANDUM FOR HQ USAFA/CW

FROM: Cadet \_\_\_\_\_

SUBJECT: Choice of Rights Under AFI 36-2020 (Board of Officers) -

INFORMATION MEMORANDUM

1. The Air Force Academy has notified me that it has recommended me for (discharge/separation) under AFI 36-2020 and provided the specific reasons for the (discharge)(separation). I understand that I may request or waive, in writing, my rights to:
  - a. Present my case before an AFI 51-602, Board of Officers, subject to my availability (for example, not in civil confinement).
  - b. Receive representation by military counsel or civilian counsel at my own expense.
  - c. Submit statements in my own behalf.
2. Military counsel has made itself available to me, and I understand my right to use civilian counsel.
3. I (waive)(do not waive) my right to a hearing before a board of officers. [In waiving the hearing, I indicate that I don't want to contest in person the charges in the Commandant's letter of notification.] I (am)(am not) submitting statements. I understand that the Secretary of The Air Force, acting on behalf of the President, approves the recommendation for my discharge and determines the type of discharge that I receive. [Do not use last sentence if the Academy plans to separate, rather than discharge, the cadet.]
4. I further understand that regardless of the recommendation of my commander, I may receive a discharge that may:
  - a. Be under conditions other than honorable.
  - b. Deprive me of veterans' benefits.
  - c. Expose me to substantial prejudice in civilian life when I must reveal the type of service I provided for the armed forces or the type of discharge I received.
5. I (have)(have not) requested a medical examination.
6. I have voluntarily signed this statement and kept a copy.

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(Typed cadet's name, SSAN, and squadron)

This statement of (cadet's name) was the cadet's decision, signed after full counsel by me and advice on rights and privileges.

(Signature of Counsel)

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(Typed name, SSAN, grade, USAF)

**Attachment 8**

**SAMPLE TENDER OF NOTIFICATION**  
**DEPARTMENT OF THE AIR FORCE**  
HEADQUARTERS UNITED STATES AIR FORCE ACADEMY  
USAFA, COLORADO

MEMORANDUM FOR CADET \_\_\_\_\_

FROM: HQ USAFA/CW

2354 Fairchild Drive

Suite 5A10

USAF Academy, CO 80840- 6260

SUBJECT: Letter of Notification for Erroneous Entry - ACTION MEMORANDUM

1. In accordance with AFI 36-2020, Section A, Paragraph 6.1, I am beginning action to separate you from the Air Force.
- 2.I am beginning this action because of your erroneous entry due to a positive test result for (drug) (chemical) (alcohol) use or dependency under the Department of Defense testing requirements and standards as the documents attached to this letter of notification explain.
- 3.The Secretary of the Air Force will make a final decision on your case. I am recommending that you receive an entry-level separation.
- 4.You can arrange for military counsel by calling USAFA/JA at extension 3646. You may get civilian counsel at your own expense as well. However, civilian counsel must be available to help you within the time stated below.
- 5.You may submit any written matters for consideration in your case within 3 duty days after the date of this notification.
- 6.*EXCEPTION*: You request and receive a delay for good cause.
- 7.I will attach material that you submit to the case for the Secretary of the Air Force to review.
- 8.If you fail now to consult counsel or to submit written material, you waive any future opportunity to do so.
- 9.In addition, you may resign instead of letting this disenrollment continue.
- 10.You must immediately complete the verification of receipt.

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COMMANDANT OF CADETS

Attachments

1st Ind (Cadet \_\_\_\_\_)

To: CW

Receipt acknowledged this \_\_\_\_ day of \_\_\_\_ 19 \_\_, at \_\_\_\_ hours.

\_\_\_\_\_  
SIGNATURE OF CADET

## Attachment 9

## CADET RIGHTS IN DISENROLLMENT BOARDS AND COMMITTEES

	ARC	PERC	STRC	MRC	HONOR	HEARING OFFICER	BOARD of OFFICERS
Written notice of deficiency before meeting Bd/committee	X	X	X	X	X	X	X
Access to evidence before meeting Bd/committee	X	X	X	X	X	X	X
Present written matters to Bd/committee	X	X	X	X	X	X	X
Consult with counsel before hearing	X	X	X	X	X	X	X
Counsel present at hearing (See Note 1)							X
Challenge members of Bd/committee for cause	X	X	X	X	X	X	X
Appear and testify at hearing (See Note 2)	X	X	X	X	X	X	X
Have witnesses appear and testify at hearing (See Note 3)	X	X	X	X	X (See Note 4)	X	X
Question witnesses at hearing					X (See Note 4)	X	X
Written notice of Bd/committee decision and appeal rights	X	X	X	X	X	X	X
Verbatim transcript prepared and provided to cadet					X (See Note 4)	X	X
Opportunity to present written matter to Supt before final decision	X	X	X	X	X	X	X
Written notice of SAF (or delegee) final decision	X	X	X	X	X	X	X

**Notes:**

1. Counsel may be present with a cadet only in a Board of Officers. This is the only proceeding which is adversarial in nature and in which the government is represented by counsel. In all other proceedings, the individual views, opinions and explanations of the respondent cadet are an essential part of the proceeding. Cadets in such proceedings may request a recess in the proceedings in order to consult with counsel.

While there may be a legal advisor present in these proceedings, the legal advisor is present only to assure the fairness and legality of the proceeding.

2. For ARC, PERC and STRC actions, the respondent cadet is allowed to appear and testify at the hard-look meeting of the committee only.
3. For hardlook committee meetings of the ARC, PERC and STRC, and meetings of the MRC, the cadet may have only character witnesses appear before the committee. For Honor, Hearing Officer and Board of Officers actions, the respondent has the right to have only factual witnesses appear on the cadet's behalf.
4. In a Cadet Sanctions Recommendation Panel (CSRP) proceeding witnesses do not appear on behalf of either the government or the cadet. Also, in CSRP no verbatim transcript is prepared.

## Attachment 10

IC 99-1 TO AFI 36-2020, DISENROLLMENT OF UNITED STATES  
AIR FORCE ACADEMY CADETS

22 APRIL 1999

## SUMMARY OF REVISIONS

This interim change (IC) 99-1 provides clarified and additional guidance regarding disenrollment procedures for USAF Academy cadets. Attachment 9 (added), Cadet Rights in Disenrollment Boards and Committees. A bar (|) indicates revision from the previous edition.

1.1. The Secretary of the Air Force, or a designee, approves all disenrollments, separations, transfers, and discharges. References to the Secretary of the Air Force in this Instruction include an official designated by the Secretary to approve/disapprove disenrollments or take other actions specified in this Instruction.

1.2. DELETED.

2.2. A decision by the Secretary of the Air Force or designee to disenroll a cadet or accept a cadet's resignation according to this instruction constitutes a finding that the cadet has broken the agreement to complete the course of instruction at the Academy, as contemplated by Section 9348(a) of Title 10, U.S.C., unless the Secretary or designee further finds that the disenrollment or resignation resulted from causes beyond the control of the cadet. Disenrollment because of medical disqualification not due to the cadet's misconduct ordinarily will not be found to constitute a breach of the agreement. The terms of the agreement are contained in *USAFA Form 0-205* or its successor.

3.2. The Superintendent, USAF Academy:

Establishes graduation and commissioning standards.

Implements training and education programs to ensure cadets' success.

Supplements this Instruction through provisions of the *USAF Academy Cadet Wing Honor Reference Handbook* and other Academy issuances. Provides copies of all such issuances to the Secretary of the Air Force (attn: SAF/MI and SAF/GC) immediately upon issuance.

3.3. The USAF Academy Board:

When consulted by the Superintendent reviews cases of deficient cadets.

Recommends an appropriate disposition.

6.1.1. The Academy notifies these cadets in writing (see attachment 9) that they are being recommended for disenrollment based on positive drug, chemical, or alcohol dependency.

6.1.2. Military counsel will be made available to assist the cadet.

6.2. The Secretary will make the final decision in the case.

7.1. The Academy Board. This board of senior Academy officers may be consulted by the Superintendent on cases of deficient cadets, approves cadets for return or reappointment to the Academy (in accordance with 10 U.S.C. §9351) following their disenrollment, establishes graduation standards, and performs other functions specified in USAFAI 36-165, *The U.S. Air Force Academy Board*.

7.1.2.1. The MRC may:

Direct corrective measures, including probation.

Refer cadets for possible disenrollment.

Recommend delayed graduation for first class cadets.

7.1.3. Physical Education Review Committee (PERC). The PERC evaluates cadets whose physical fitness or performance in physical education or intramural training is deficient. The PERC may:

Direct corrective measures, including athletic probation.

Refer cadets for possible disenrollment.

7.1.4. Summer Training Review Committee (STRC). The STRC evaluates cadets whose performance or conduct during cadet summer training programs shows questionable aptitude for commissioned service. The STRC may:

Direct corrective measures, including probation.

Refer cadets for possible disenrollment.

7.2.2. After reviewing the board's report, the Superintendent may consult with the Academy Board before taking further action.

7.3.1. After reviewing the hearing officer's report, the Superintendent may consult with the Academy Board before taking further action.

7.4.1. When the CMEB recommends disqualification, the Secretary makes the final decision on the case.

8.1.3. Active duty service is the primary means of reimbursement for an Academy education (10 U.S.C. §2005). However, the Secretary may direct monetary recoupment in lieu of active duty when he or she determines that the cadet's record at the Academy renders the cadet unsuitable for active duty service, or active duty otherwise is not in the best interest of the Air Force. All cadets who have incurred an active duty commitment and are disenrolled or resign under circumstances amounting to a breach of the 10 U.S.C. §9348 agreement may be subject to monetary recoupment.

8.1.3.1. When a cadet who is subject to monetary recoupment disputes the debt, the Superintendent will appoint an officer, or a civilian employee, to conduct an inquiry concerning the validity of the debt in accordance with 10 U.S.C. §2005(g). The Superintendent will consider the findings and recommendations of the inquiry and forward the case, with a recommendation for disposition, to the Secretary for decision.

8.1.7. When a cadet has been found not qualified for graduation and commissioning by the Superintendent, the Superintendent may place the cadet on involuntary excess leave without pay pending the final processing of the case.”

8.1.7.1. DELETED.

8.1.7.2. DELETED.

8.1.7.3. DELETED.

8.1.7.4. DELETED.

8.1.7.5. DELETED.

8.1.7.6. DELETED.

8.1.7.7. DELETED.

8.1.7.8. DELETED.

8.1.7.9. DELETED.

16.1. The Secretary disenrolls cadets found deficient in:

Conduct.

Aptitude.

Training.

Studies.

Athletics.

16.3. The board or committee first recommending disenrollment reports its findings to the Superintendent.

16.4. Recommendations for disenrollment under this section include recommendations regarding active duty service for cadets with active duty service commitments.

16.7. The Commandant of Cadets determines whether cases of cadet misconduct are initiated under the procedures for an honor board, criminal investigation, hearing officer or board of officers.

17.1.2. If the investigation doesn't suggest a need for separation under Section D, the Superintendent continues processing under this section.

18.1.1. Either committee may recommend disenrollment to the Superintendent.

18.2. Violations of the Honor Code will be processed according to procedures in the *USAF Academy Cadet Wing Honor Code Reference Handbook* unless the Commandant of Cadets initiates other disposition. This instruction specifically authorizes the use of procedures outlined in the *USAF Academy Cadet Wing Honor Code Reference Handbook*.

19.1. The MRC:

Reviews these cases.

May recommend disenrollment.

20. Disenrolling Cadets for Deficiency in Academics. The ARC:

Reviews cases of cadets who perform poorly in academics.

May recommend disenrollment.

21. Disenrolling Cadets for Deficiency in Summer Training. The STRC:

Reviews cases of cadets who perform poorly in a summer training program.

May recommend disenrollment.

22.3. May recommend disenrollment for cadets who remain deficient.

23.2. Homosexual conduct is a basis for disenrollment under this section. Process homosexual conduct cases using the Board of Officers procedure. Use AFI 36-3206 *Administrative Discharge Procedures for Commissioned Officers* and AFI 36-3207, *Separating Commissioned Officers*, as a guide for deciding homosexual conduct cases and procedures regarding recoupment of educational costs if a cadet is disenrolled for homosexual conduct. The report of the board proceedings will be forwarded using the procedures described in paragraphs 25.8 through 25.18 of this instruction.

24.1. If the Commandant of Cadets decides that a case should result in no worse than a general discharge, the Commandant initiates disenrollment proceedings and forwards the case to the Superintendent, who then decides whether or not to appoint a hearing officer to hear the case.

24.2. If the Commandant of Cadets decides that a case should result in an under other than honorable conditions discharge, or if other considerations dictate, the Commandant initiates disenrollment proceedings and forwards the case to the Superintendent, who then decides whether or not to appoint a board of officers to hear the case.

25.10. The Superintendent may consult with the Academy Board.

25.11. If the Superintendent concludes the cadet is no longer qualified for graduation he continues processing the disenrollment action.

25.12. If the Superintendent finds a cadet unqualified for graduation, the cadet will no longer attend classes or participate in cadet activities and training.

25.13. DELETED.

25.16. The transcript of the board hearing will be processed in the same way as the report of a hearing officer.

25.17. DELETED.

25.18. If the Superintendent doesn't accept the findings of fact that the hearing officer or board of officers have made, the Superintendent:

States in writing his findings and the reasons.

Summarizes the supporting evidence before final action is taken on the case.

27.1. If the Academy medically disqualifies a cadet, the CMEB:

Reviews the case.

Makes findings.

27.1.1. If the board's finding is disqualifying for initial commissioning, the command surgeon may grant a waiver.

27.1.2. The board forwards the case to the Commandant of Cadets if all of these occur:

The board finds the cadet medically disqualified for initial commissioning.

Neither the Command Surgeon nor USAF/SG grant a waiver.

27.1.3. A cadet medically disqualified for commissioning who hasn't broken the Academy agreement doesn't incur an active duty obligation because of the disenrollment.

28. Qualifying for Excess Leave. A cadet may ask the Superintendent for excess leave without pay for a specified period if:

The CMEB recommends the excess leave because of a temporary physical disability that makes the cadet unable to train.

The cadet has a temporary personal or family crisis that, in the judgement of the Superintendent, a leave would improve.

The cadet is pregnant and doesn't choose to resign.

29.5. The Superintendent sets up a cadet's date of return, which is normally at the start of a semester at the same time of year in which the cadet departed.

31. Submitting Individual Reports of Separation. When the Superintendent recommends a cadet for disenrollment, HQ USAFA/RR:

Completes AF Form 631.

Sends the form and a copy of all supporting documents and recommendations to HQ USAFA/CCL at the Pentagon.